

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION

No. 7:10-CR-00013-F-1

UNITED STATES OF AMERICA,)	
)	
v.)	<u>ORDER</u>
)	
JEROME RICO EVANS,)	
Defendant.)	

This matter is before the court on Jerome Rico Evans' letter motion [DE-62] addressed to the Clerk of Court. In his motion, Evans is seeking relief from the payments the Bureau of Prisons is asking him to pay through the Inmate Financial Responsibility Program. Evans requests that he be allowed to make payments directly to the Clerk of Court in the amount of \$25.00 per quarter.


In the court's December 8, 2010 Judgment, Evans was ordered to pay a special assessment of \$100.00 and a fine of \$7,700.00. [DE-28 at 5.] The court ordered that the special assessment was "due in full immediately" and the fine was "due immediately." *Id.* at 6.

Evans is specifically challenging the payments he is being required to make under the Inmate Financial Responsibility Program, a program which is administered by the Bureau of Prisons. A defendant making such a challenge must first exhaust his administrative remedies. *See Urbina v. Thoms*, 270 F.3d 292, 295 n.1 (6th Cir. 2001) (noting that "the Bureau of Prisons should be given the opportunity to consider the application of its policy . . . before the matter is litigated in the federal courts." (quotation omitted)). Evans' motion does not indicate that he has exhausted his administrative remedies. For this reason, Evans' letter motion [DE-62] is

DENIED.

SO ORDERED.

This, the 22nd day of September, 2014.



JAMES C. FOX
Senior United States District Judge